



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

THOMAS, KAYDEN, HOSTEMEYER & RISLEY LLP
100 GALLERIA PARKWAY
SUITE 1750
ATLANTA, GA 30339

COPY MAILED

AUG 22 2005

OFFICE OF PETITIONS

In re Application of :
Wu, et al. : CORRECTED DECISION
Filed: April 8, 2004 : ON PETITION
Application No. 10/820,320 :
Atty. Dkt. No.: 252016-1921 :

This decision corrects the decision mailed August 5, 2005 in response to the "RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION AND PETITION TO ACCORD THIS DIVISIONAL APPLICATION A FILING DATE OF APRIL 8, 2004" filed June 13, 2005 in response to the Notice of Incomplete Nonprovisional Application ("Notice") mailed May 13, 2005.

The application was filed April 8, 2004. The Notice indicated that the application had not been accorded a filing date because the application appeared to have been deposited without drawings as required.

In response, petitioners argue that the application as deposited included three pages of drawings. Petitioners have included as proof of mailing and proof of receipt of three sheets of drawings a return postcard date stamped by the Office on April 8, 2004. A copy of the three drawings sheets purportedly filed with the application on April 8, 2004 was also supplied.

The original drawing sheets submitted with the application papers have not been located. However, in view of the evidence presented, the petition to accord the application a filing date of April 8, 2004 is GRANTED.

Since the original drawing sheet cannot be located in the Office, the copy supplied with the instant petition will be used for examination purposes.

No petition fee is due in connection with this matter. The previously submitted petition fee was previously refunded via deposit account credit.

This application will be returned to the Office of Initial Patent Examination for further processing with a filing date of April 8, 2004.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3205.

A handwritten signature in black ink, appearing to read 'Alesia M. Brown'.

Alesia M. Brown
Petitions Attorney
Office of Petitions